

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

Hon. Hugh B. Scott

07CR58S

Order

TYRONE MAURICE CHAMBERS,

Defendant.

Before the Court is defendant's motion to compel production of defendant's Probation Department file (Docket No. 6). A previous Order had Probation Department present defendant's file for in camera inspection and the Court would disclose the appropriate parts of the file that may be produced to defendant (Docket No. 10, Order ¶ 4). The Court has conducted that in camera inspection and this Order outlines the parts of the file that may be produced to defendant.

The Probation file consists of several separate sections. The first part, which includes the Request for Search at issue in defendant's motion and the judgment of conviction, **shall be produced** to defendant, as well as the Probation Department's Search and Seizure Policy, included with defendant's file (see Docket No. 10, Order, ¶ 1). Next, the file contains chronologies of Probation Department activities and contact with defendant; these documents **need not be produced**. The next section in the file is correspondence, mostly from the Federal Bureau of Prison and the halfway house defendant was assigned to upon his release from prison;

these documents also **need not be produced**. The next section is the monthly supervision reports (or “MSRS”) which summarize defendant’s monthly contacts with Probation; these documents **shall be produced**. The next section of the file is entitled “Correctional Treatment” and contains laboratory reports from defendant; these documents **need not be produced** since they appear not to be relevant to the issue surrounding the search of his person and the residence at issue here. The last portion of the file is defendant’s criminal history reports (including worksheets for his presentence report); these reports also **need not be produced** as they are not relevant to the issues pending in the present motion.

So Ordered.

/s/ Hugh B. Scott
Honorable Hugh B. Scott
United States Magistrate Judge

Dated: Buffalo, New York
May 3, 2007